

Method goes far to prevent trouble in business for it makes the task easy, hinders confusion, saves abundance of time, and instructs those that have business depending, what to do, and what to hope.

—William Penn.

THE SALT LAKE HERALD.

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How hard it is for some people to get out after their visit is really over. One would think they had been built in your office, and were waiting to be launched.

—Oliver Wendell Holmes.

TAFT DECLARED DULY ELECTED

Electoral Vote Counted in the Presence of Both Houses of Congress.

FAIRBANKS IN THE CHAIR

APPLAUSE ON BOTH SIDES DESPITE RAP OF GAVEL.

Washington, Feb. 10.—With simple but impressive ceremonies, the counting of the electoral vote for president and vice president occurred at a joint session of the senate and house, held in the chamber of the lower body.

William H. Taft of Ohio and James S. Sherman of New York were officially declared to be the choice of the people for the term of four years beginning March 4 next. The count consumed exactly forty minutes.

Vice President Fairbanks, who presided, announced that applause would not be permitted. This followed Democratic manifestations over the nomination of the name of William J. Bryan in connection with the vote of Alabama, the first state called.

The Taft adherents, nevertheless, disregarded the admonition and liberally applauded the first mention of his name when the California vote was announced.

Vice President-elect Sherman, in his capacity as a representative from New York, occupied his accustomed place on the floor.

Fairbanks in the Chair.

Promptly at 1 o'clock Doorkeeper Lyon announced the arrival of the vice president and the senate of the United States.

The profession moved slowly down the center aisle, and the seats assigned were at once occupied, the vice president mounting the rostrum and taking position to the right of the speaker. United States Senators Burrows of Michigan and Bailey of Texas, and Representatives Gaines of Tennessee and Rucker of Missouri, acted as tellers. When Senator Burrows announced that Alabama had cast her full vote of eleven for William J. Bryan and John A. Kern, applause broke out on the Democratic side.

Instantly Vice President Fairbanks rose and admonished the house. "The chair is obligated to suggest," said he, "that all manifestations of applause or approval are in contravention of the proprieties of the occasion. They offend against the dignity and decorum of the transaction now proceeding in the presence of the chosen representatives of the American people. The chair is confident that a repetition of this admonition will be unnecessary."

Applause Anyhow.

Despite the admonition of the vice president, however, the announcement that California had cast her vote for Taft and Sherman, thus mentioning for the first time the names of the successful candidates, caused some applause on the Republican side.

The Republicans again applauded when Mr. Rucker, one of the tellers, himself a Democrat and from Missouri, announced that Missouri cast her eighteen votes for Taft and Sherman. When Mr. Bailey of Texas, one of the tellers, called attention to the fact that the certificate of Wisconsin read that the vote of that state was for William H. Taft of New York and James S. Sherman of New York, Mr. Bailey said that "of course, under the constitution it is not permissible for a state to vote for a candidate for president and vice president from the same state, but your tellers perfectly understand that this is a clerical error."

He asked that the tellers be authorized to report the vote of Wisconsin as having been cast "for William H. Taft, for whom all the other electoral votes were cast."

There was no objection, and the vice president directed that the vote be recorded for William H. Taft of Ohio.

Taft Declared Elected.

The tellers then reported that William H. Taft and James S. Sherman had received 321 votes, and that William J. Bryan and John A. Kern had received 132 votes. Only 242 votes were necessary to elect. The vice president announced that Taft and Sherman had received more than the requisite majority, and that this announcement should be deemed sufficient and that the persons elected president and vice president of the United States each for the term beginning March 4, 1909, and shall be entered, together with a list of the names of the electors, in the journals of the senate and house of representatives.

The senators then filed out of the chamber.

After the return of the senate to its own chamber, the tellers announced the result of the count. The vice president then made a formal announcement of the result.

SUGAR SCALES "FIXED"

New York, Feb. 10.—With a scale wheeled into the court room and set in position before the jury, counsel for the government today demonstrated the methods through which it is alleged that the company defrauded the customs revenue by underweighing sugar imports. Albert B. Lambert, a scale expert from the government mint at Philadelphia, superintended the demonstration.

Counsel for the defense objected to the demonstration, but Judge Holt overruled the objection, and the attorneys' statement that the scales were identical with those used by the sugar company.

Special Treasurer Agent Robert Parr, the supposed discoverer of the alleged fraudulent device, testified that in November, 1907, while examining the scales on the Brooklyn docks, he had caused one of the sugar company's checkers, named Kehoe, to weigh three drafts that Kehoe had weighed before the witness accused him. As Kehoe weighed the drafts, said Parr, the witness noticed that he kept his left forearm resting on his left knee and moving. When Parr asked Kehoe what he was "monkeying with," the checker, according to the witness, replied, "nothing."

Mr. Parr then made Kehoe get up and discovered, he said, the end of a piece of metal spring rod where the checker's arm rested.

Kehoe, the witness testified, was then placed in custody, after which, Parr said, Spitzer, a dock superintendent, ran up to him and said they would "have to fix this thing up," and offered to let him name his own price if he would report the scales out of order. Parr would not consent.

Parr said he had examined all the scales on the docks, and had found them all equipped as the one Kehoe used.

SENATOR KNOX NOT ELIGIBLE

Salary of Secretary of State Was Raised During His Service in Senate.

A WAY OUT OF DIFFICULTY

PORTION OF THE ACT OF 1907 WILL BE REPEALED.

Washington, Feb. 10.—Is Senator Knox eligible for appointment as secretary of state in the incoming administration or must the president-elect, when he again touches American soil tomorrow, find himself confronted with the pressing and disagreeable necessity of selecting a new premier for his cabinet? This was the question that all official Washington was confronted with this morning.

Senator Knox was last elected for a six-year term, which will not expire until March 3, 1911. The constitution prohibits the appointment of a senator to an office created, or the salary of which has been increased during the term for which he was elected.

So the question is whether, under this uncontrovertible state of affairs, Senator Knox can lawfully succeed Robert Bacon as secretary of state on March 4. The senator himself is a good deal perturbed over the question, and today held frequent consultations with personal friends, especially those of a legal turn of mind.

Repeal Only Way Out.

The general consensus of opinion on both sides of the senate chamber was in accordance with Senator Hale's view that the situation should be remedied by the repeal of the law in so far as it affected the office of the secretary of state, but there were a few dissenting voices on the Democratic side. Senator Rayner, himself an eminent legal authority, after canvassing both sides of the chamber, expressed the view that repeal offered the only feasible course out of the difficulty.

Senator Knox did not reach the capitol until 1 o'clock. He was immediately sought out by a number of his senatorial friends, who were in close conference with him, but to the reporters he would say nothing whatever regarding the report of his ineligibility for the office of secretary of state.

An Untenable Position.

It is believed that Senator Knox's friends will base their contention that he is eligible for appointment to the cabinet on the plea that by resigning his senatorial office prior to March 4 he will become a private citizen. The constitution does not prohibit the appointment of a private citizen to such office under the existing conditions, hence Mr. Knox might be regarded as eligible to appointment as secretary of state after March 4.

Senator Hale, discussing the situation, said: "The portion of the law applying to the office of the secretary of state can be cancelled by legislation, and as the law was never intended to apply in such a case as that of Mr. Knox, there is no doubt that a bill with this end in view will be immediately introduced, and just as little doubt that it will be passed."

Just before the senate adjourned today Senator Hale introduced a bill repealing the portion of the act of 1907 which increases the salary of the secretary of state.

In the house there was general acceptance of the suggestion for the repeal of the law standing in the way of Senator Knox's transfer to the state department, but it was not accepted by a sufficient majority. Some members raised the question, if even after a repeal, he would not be prohibited, inasmuch as the constitution forbids the appointment to an office the salary of which has been raised during the appointee's term as a member of congress, nothing being said about the subsequent reduction of the salary.

ANOTHER "BUNCHER."

(Special to The Herald.)
Washington, D. C., Feb. 10.—Conferees on the legislative appropriation bill have agreed to the Sutherland amendment providing for the creation of the office of assistant assessor and cashier of the Salt Lake assay office, at a salary of \$1,600. This action insures the position named.

DEPOSITION OF LEMP.

St. Louis, Feb. 10.—The reading of the 600-page deposition of William J. Lemp, jr., who is being sued for divorce by his wife, Mrs. Lillian Handlan Lemp, was begun today. The first quarrel he remembered occurred in 1904, when he spoke to his wife about her housekeeping. He denied that he struck her then, but thought he might have shoved her. He admitted he carried a revolver, but denied pointing it at his wife.



If Lincoln Should Return to Earth for the Banquet.

ELKS RUN INTO THE RAIN BELT

Los Angeles Not Land of Sunshine at This Particular Season of the Year.

(Special to The Herald.)

Los Angeles, Cal., Feb. 10.—The only thing that is not up to sample, in the opinion of the Salt Lake Elks, now guests of Los Angeles lodge No. 99, is the California weather. It has been cloudy or rainy ever since the visitors arrived, and they are beginning to think that the far-famed southern California sunshine is but a myth. However, they are managing to enjoy themselves. Today they feasted on oranges, and every one tried to outdo the other fellow in the number consumed. Ruler Davis is said to hold the record, with fourteen at one sitting, although there are others who make strong claims.

The Elks visited all the big orange groves between Los Angeles and San Bernardino, making the journey over the kite-shaped track. They returned tonight to find more rain awaiting them, but they manage to keep cheerful. Early tomorrow they will take cars to San Pedro and embark for Catalina island, having heard that certain brands taken in advance will certainly ward off seasickness. Those who seek the political and the fact well known by its authors. It will not stand the test of the courts, and I now make the charge against the majority that it is not enacting an honest local option law."

POLITICS DISCUSSED.

King Edward's Visit to Berlin Has Political Significance.

Berlin, Feb. 10.—Great weight is lent to the political significance of King Edward's visit in consequence of the extended private conference with Sir Charles Hardinge had this evening with Prince von Buelow. The subjects under discussion have not been made public, but the fact that the British under-secretary of the foreign office was closeted with the imperial chancellor is regarded as highly important as it indicates that the royal sojourn is not a mere visit of courtesy.

The emperor and king and the empress and queen took part in a brilliant court ball in the white salon of the palace tonight.

CHICAGO PACKERS GET BEEF CONTRACT

London, Feb. 10.—A Chicago firm has been awarded a contract to supply the British army with corned beef for a period of three years. The first delivery, between 500,000 and 1,000,000 pounds, will be made next July, and further deliveries will be in accordance with the requirements of the army.

The meat will be packed at Chicago under the supervision of British army officers.

SECTION HAND KILLED.

Denver, Colo., Feb. 10.—While plowing through the heavy drifts at Baxter Pass, on the Uintah railroad, an engine and snowplow, in rounding a sharp curve on the downgrade, plunged over a 300-foot precipice, killing Engineer J. E. Lane and fatally injuring a Greek section hand. Four other workmen, whose names are unknown, were seriously injured.

RAN AMUCK ON TRAIN.

Des Moines, Ia., Feb. 10.—Becoming suddenly insane on a Great Western passenger train near Brewster, Ia., today, Martin Oberman of Chicago drew a huge knife and slashed at all within reach. Before he had been beaten senseless by trainmen and passengers he stabbed three men. One of the victims, Ernest Richards of Parkersburg, Ia., was perhaps fatally hurt.

SENTENCE COMMUTED.

Carson, Nev., Feb. 10.—The state board of pardons today commuted the sentence of John Dolan from hanging to life imprisonment. Dolan killed an old man in Elko county. He is an old soldier and served under Custer.

IDaho STATE SENATE PASSES LOCAL OPTION LAW AFTER HEATED DEBATE

Democrats Charge That the Act Is a Subterfuge and Will Not Stand the Test of the Courts.

Boise, Ida., Feb. 10.—The state senate today, by a vote of 17 to 6, passed the senate local option bill. Four Democrats joined the Republicans in supporting the measure. The Democratic leaders characterized the bill as unconstitutional and a subterfuge put through to fool the people under pretense of fulfilling a party pledge.

The house passed the house direct primary bill. It is copied from the Wisconsin and Washington laws and contains a provision that legislative candidates may pledge themselves to select the choice of the people for United States senator, as in Oregon.

Macbeth's Charges.

In discussing the local option bill Macbeth, Democrat, said: "This is the first time I have ever seen a bill attacked the authors of which did not dare to enter a word in its defense. This bill is a trick, breathing political dishonesty and unconstitutionality at every pore; a make-believe, a botch, a makeshift, a subterfuge, conceived in spirit of intolerance, born when the star of hypocrisy was at its zenith, and foisted upon a credulous public as a political sop, with the fact well known by its authors. It will not stand the test of the courts, and I now make the charge against the majority that it is not enacting an honest local option law."

Hart, Republican, replied that the bill would stand before the courts and that "no one is worrying about the constitutionality of the bill. We are

willing to rest our cause with the supreme court and do not expect the bill will go before senators to determine its constitutionality."

Bowen asked if the law would go before the supreme court, and Hart replied: "If it does, it will go at the instigation of the liquor interests."

Claims Pledge Fulfilled.

Sweeney, Republican, replied to the minority criticism of the bill and the majority as follows: "The result of the vote shows that the Republican senators have stood to their party pledge as a man. I want it to go to every section of the state that the Republican party can be trusted, that it has stood by its pledge even though its representatives did not, some of them, like the principle of local option, as shown by my experience in the committee. Influence has been brought to bear to defeat the will of the people; threats have been made, but every threat has been hurled back by the majority, every one of whom

"No, we were sent here by the people, and we are going to give them what they want."

The result of the vote follows: Ayes—Bowen (D.), Davis (D.), Freehafer (D.), Goodnight, Haight, Hart, Hasbrouck, Hunt, Jordan, Preston, Pugmire (D.), Rowton, Shawhan, Shoup, Shaulding, Sweeney, Whitaker. Total—17.

Nays—Bennett, Doy, Korn, McDevitt, Von Harten, total 6, all Democrats.

DOOGES' PARTY PLATFORM STATEMENT BY MR. RAINEY

Illinois Representative Inclined to the Belief That He Now Belongs to Exclusive Ananias Club.

Washington, Feb. 10.—Representative Rainey of Illinois, whose speech in the house on the Panama canal purchase has drawn forth a rebuke from the state department in an official reply to the Panama government's protest, was inclined today to assume that he had been elected to the "Ananias" club. This was based on the statement in Secretary Bacon's letter as to the president's view of Mr. Rainey's speech. Mr. Rainey made a statement today in which he said that he does not expect President Obaldia of Panama, or President Roosevelt of the United States to agree with him. He asserted that it is only necessary to arrive at some fact uncomplimentary to the present administration to be elected to the "Ananias" club, provided the candidate has the courage to make the facts public.

In his statement Representative Rainey said: "The requirements for membership in the 'Ananias' club are exceedingly simple, and I wonder that more do not accept the opportunity to join. In order to be entitled to membership it is only necessary to be industrious, to exercise diligence, and to arrive at some fact uncomplimentary to the present administration. In addition to this, you must also have the courage to make the facts you have ascertained public."

DRY FARM BILL.

(Special to The Herald.)

Washington, Feb. 10.—The conference committee, which has had the enlarged homestead bill under consideration practically all of this session of congress, today came to an agreement.

The bill as agreed upon, and which undoubtedly will become a law, provides for 320-acre homestead entries of non-timbered, non-irrigable land in the western states, provided that in the state of Utah residence upon the land shall not be required until after the aggregate acreage of land entered under the act reaches 2,000,000 acres, and provided no land shall be subject to entry until designated by the secretary of the interior as not susceptible of irrigation at reasonable cost from known water supply.

FELL TO HIS DEATH.

New York, Feb. 10.—While rehearsing his part in the rear of the stage of the Novelty theatre, Brooklyn, today, Joseph Jewell fell thirty feet through a trap, landed on his head and died instantly. He leaves a family in Oakland, Cal.

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FIFTY TO FIGHT FOR TEMPERANCE

Republicans Will Call Mass Meeting to Force Legislators to Vote for Prohibition.

PRELIMINARY STEPS TAKEN

NEPHI L. MORRIS LEADING NEW "DRY" ORGANIZATION.

Fifty Republicans met in Barratt hall yesterday afternoon and took the first steps to organize as Republicans in the fight for state-wide prohibition. The charge has been made that the leaders of the fight for prohibition were all Democrats, that prohibition was a Democratic move, and that the Republicans did not want prohibition. To refute this charge the meeting of yesterday was called.

Nephi L. Morris, president of the Salt Lake stake of the Mormon church, and prominent in the recent campaign by his zealous efforts for the Republican party, was chairman of the meeting. Edward H. Anderson, former United States surveyor general for Utah, was the secretary.

At the meeting ringing prohibition orations were made by David B. Keeler of Provo, president of Utah stake, and a prominent worker for prohibition, S. F. Grant, Albert S. Reiser and Mrs. E. E. Shepard, all prominent in the movement for state-wide prohibition.

After some discussion it was decided to call a mass meeting of the Republicans of the state. At this meeting resolutions to be adopted in the name of the Republican party favoring state-wide prohibition and instructing the Republican members of the legislature to vote for such resolutions will be formulated.

A committee was appointed to call the mass meeting to be held in Salt Lake soon. This committee will fix the date and make all necessary arrangements at a meeting to be held today. The committee consists of Nephi L. Morris, chairman; George M. Cannon, Albert S. Reiser, Mrs. E. E. Shepard and Ruth M. Fox.

LOVESICK GIRL SUICIDES

Miss Violet Briery Jumps From a Sixth Story Window in Denver and Soon Dies of Injuries.

Denver, Feb. 10.—In an effort to destroy herself, Miss Violet Briery, aged 28, step-daughter of R. A. Powell, leaped from a window on the sixth floor of the Mining Exchange building today, landing on the stone pavement below. Fifteenth street, where the spectacular act at suicide occurred, was thronged with people at the time, and the body struck the pavement in the midst of horrified spectators.

The girl was picked up unconscious, her breathing and carried into the building and surgical aid summoned. In the pocket of Miss Briery's coat was found a note directing that communication should be had with "C. M. W., a civil engineer," in case of her death.

Miss Briery died at the hospital about two hours later. She had been engaged to G. M. Wood, a student at the state agricultural college at Fort Collins, Colo. She had not heard from him in several weeks, and, brooding over this fact, is supposed to have been the cause of Miss Briery's suicide.

KILLED WIFE'S SEDUCER.

Burbette Bell of Denver Does Not Plead "Unwritten Law."

Denver, Colo., Feb. 10.—Burbette Bell, on trial for the murder of C. Cuvier Dury, an actor of Cincinnati, O., for whom his wife had left him, today went on the witness stand in his own behalf. No effort was made to raise the "unwritten law" in Bell's defense. Bell discovered his wife and Dury together in a Curtis street rooming house.

"Dury pushed me against the wall and choked me," said Bell, in answer to questions by his lawyer. "The thought came to me that I would do my bodily injury and perhaps kill me and run away with my wife and little baby. I wanted to get out into the hall and talk it over with him. After the shooting which followed then, I went down to the police station and gave myself up."

Previously Bell had testified that his wife had confessed to him the night before the shooting of her relations with Dury. Mrs. Bell told her husband that Dury got her intoxicated, and this, and her ambition to go on the stage, had led to her downfall.

BLEW OUT THE GAS.

Guthrie, Okla., Feb. 10.—Senator G. O. Johnson of Fort Cobb is dead, and Senator B. J. Yeager of Tulsa is dying here as a result of inhaling natural gas from a jet believed to have been accidentally left open. When Johnson and Yeager were called this morning and made no response their door was broken in and the men were found unconscious.

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COUNCIL OF LABOR

Washington, Feb. 10.—Prominent labor leaders participated in a "council of labor" at the department of commerce and labor today. President Gompers of the American Federation of Labor and Commissioner General Keen of the immigration bureau were among those taking part.

The meeting was called at the instance of Secretary Straus. The problems discussed, as suggested by Secretary Straus, included legislation to extend the steamboat inspection service to the inspection of locomotive boilers; consideration of statistics of immigration in connection with immigration, and greater effectiveness of the Nobel prize which President Roosevelt devoted to the foundation for the promotion of industrial peace.

Secretary Straus urged that railroad locomotive boilers be placed by law under the supervision of the steamboat inspection service.

Mr. Gompers pointed out that nearly 2,600,000 laborers, who, previous to October, 1907, had been employed, now are walking the streets. Congress, he said, had provided instant relief for the Italian sufferers by the Italian earthquake, but when relief is asked for American laborers, it is styled paternalism and is given no consideration.

John Mitchell said from 2,000,000 to 3,000,000 men in this country now are unemployed.

The conferees called at the White House and met the president.

PROPOSED LAW FOR GOVERNING SALT LAKE CITY

Bill Introduced in Both Houses of Legislature Provides for Des Moines Plan.

COMMISSION OF FIVE TO HAVE FULL CONTROL

CENTRALIZATION OF POWER ELIMINATES OPPORTUNITY FOR GRAFT.

In both houses of the legislature yesterday were introduced bills providing a commission form of government in Utah for cities of the first class. The bills introduced in each house are identical, and are modeled after bills passed by the Iowa legislature, under which the Des Moines city government is now operating. For this reason the system is known as the Des Moines plan.

The proposed law, as embodied in the bills introduced yesterday is a radical departure from the form of municipal government now followed in cities of the state. The proposed law applies to only cities of the first class and, therefore, Salt Lake City would be the only one affected by its enactment.

In many respects the bill is similar to the so-called Galveston measure introduced at the 1907 session of the legislature. At that time a great deal of interest was aroused in the commission form of government, and the sentiment appeared to be strongly in favor of these bills. The Galveston bills passed the senate, but were killed in the house toward the close of the session.

Result of Two Years' Study.

Since that time, under the direction of the Civic Improvement League of Salt Lake, a large number of citizens have made a thorough study of the commission form of municipal government to ascertain whether or not it would be wise to adopt such a form of government in Salt Lake City.

The Galveston plan of government had, in the meantime, been amplified and improved by what is now known as the Des Moines plan. This plan was adopted in Des Moines and other Iowa cities and proved to be a much more economical and direct form of government than the system heretofore used. Those studying the commission plan turned their attention from Galveston to Des Moines, and for the last year have been observing closely the practical advantages resulting from the adoption of this method. Not long ago a committee of Salt Lake men, who had interested themselves in the management, went to Des Moines and studied in detail the different branches of the government of that city. On their return they urged strongly the adoption of the Des Moines plan by Salt Lake. This committee assisted in preparing the bill which was introduced yesterday.

To Choose Five Commissioners.

Under the provision of the bill, the officers of mayor and councilmen of cities of the first class are abolished at noon on the first Monday in January, 1910. Their successors are to be a board of five commissioners, consisting of a mayor and four commissioners to be elected at large. The only other city officer to be elected is the city auditor. No changes are made in the government of cities of less than the first class, though the provisions of the statutes relating to their government are re-enacted in the bill.

In cities of the first class the mayor is to be the chairman of the board of commissioners. The mayor presides at all meetings of the board, and has the right to vote on all questions coming before it. The bill gives the board the power to subpoena witnesses, to administer oaths and to examine into matters under the same conditions as judges of the district court. The mayor is given no veto power.

Monthly Statement to Be Made.

The commissioners are required to print each month in pamphlet form an itemized statement of all receipts and disbursements of the city and a summary of their proceedings during the month. At the end of each year all books and accounts of the city are to be audited by expert accountants, and a complete report is to be made for the year.

If any vacancy occur in the office of mayor, commissioner or auditor, the vacancy is to be filled by appointment by the board of commissioners. If the commissioners fail to fill a vacancy on the board within thirty days, the auditor shall ex officio member of the board for the purpose of filling the vacancy only.

The board of commissioners is given the power to exercise all executive, administrative and legislative powers now possessed by the mayor, city council, board of public works, park commission and all other city officers.

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